

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

GAIL J. GALLOWAY,

Plaintiff

V.

**PENNSYLVANIA BOARD OF
PROBATION AND PAROLE, *et al.*,**

Defendants

• • • • •

CIVIL NO. 1:CV-00-0649

(Judge Rambo)

ORDER

The background of this order is as follows:

On January 28, 2004, the captioned action was remanded by the Third Circuit Court of Appeals for further proceedings on Plaintiff's Fourth Amendment claim of false arrest/false imprisonment. By order dated March 3, 2004, the case was placed on the October 2004 trial list. By order dated September 14, 2004, upon motion of Defendants with the concurrence of Plaintiff, the case was moved to the December 2004 trial list. On November 15, 2004, Plaintiff filed a concurred-in motion for a continuance of trial. By order dated November 15, 2004, Plaintiff's motion was granted, moving the trial to May 2005. Paragraph 4 of that order states:

The deadline for filing pretrial memoranda is moved to noon on April 8, 2005, and shall be filed in accordance with the local rules of this court. Plaintiff shall also file *in camera* with the court an addendum to the pretrial memoranda indicating the name and substance of the testimony of each witness the parties intend to call. Plaintiff is to note that “*in camera*” refers to the fact that the court will not disclose his witness list and proposed witness testimony. **Failure to timely file pretrial memoranda or the required addendum may result in sanctions, including dismissal.**

On April 7, 2005, Plaintiff filed another motion to continue trial. By order dated April 7, 2005, this court granted Plaintiff's motion and moved the trial to the July 2005 trial list. The deadline for filing pretrial memoranda was moved to noon on June 10, 2005. The order further advised that no further extensions would be granted.

To date Plaintiff has not filed the required pretrial memoranda and *in camera* addendum. Accordingly, **IT IS HEREBY ORDERED THAT** Plaintiff's complaint is dismissed pursuant to Federal Rule of Civil Procedure 41(b) for Plaintiff's failure to comply with an order of court and for failure to prosecute. The Clerk of Court shall close the file.

s/Sylvia H. Rambo
SYLVIA H. RAMBO
United States District Judge

Dated: June 16, 2005.